



AMITY
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— GURUGRAM —

3rd AMITY INTERNATIONAL CONFERENCE

08th - 09th
NOVEMBER 2019

CRIMINAL JUSTICE SYSTEM

NATIONAL AND INTERNATIONAL PERSPECTIVES

Our Partners





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“If men were angels, no Government would be necessary”

~ James Madison

The depths and levels a country would go to provide proper justice to all its citizens is determined by the type of Criminal Justice System it has established. The Law enforcers of a country carry a great responsibility on themselves to carry out the same. It is a well-recognised fact among all the countries, that establishing a competent and structured Justice System is paramount and is key towards a progressive and developed society.

For ensuring the maintenance of proper law and order and prevailing of justice, it is imperative that we aim at establishing an efficient Criminal Justice System not only Nationally but on an International platform as well.

The consecutive success of the 1st Amity International Conference on Legal Dimensions of Environment and the 2nd Amity International Conference on Legal Dimensions of Infrastructure, Growth and Development has encouraged us to organise the 3rd Amity International Conference on the Theme, Criminal Justice System: National and International Perspectives. “At every turn in life, we should remember to learn from our past experiences and thus keeping this in mind our most efficient team has not left a source untouched in ensuring that the Conference is organised in the best possible manner.

Amity Law School, Gurugram prides itself in the fact that, it teaches its students law through various means and methods such as Legal Conferences, Moot Courts, Parliamentary Debates, Quiz Competitions, etc. Under the guidance of a dedicated and professionally competent Faculty, the students inculcate moral, ethical, social and legal principles which are prevalent in our society. The Law School currently inhabits more than 500 students who are ready to take on the world and become the leaders of tomorrow.

We are blessed to have visionaries like our Hon’ble Founder President and Hon’ble Chancellor who aim to make Amity the most prestigious group by imparting quality education and thereby sending good human beings into the Society. Each one of us is leaving no stone unturned in this direction. I will also fail in my duty if I do not convey my gratitude to the Hon’ble Vice Chancellor, Deputy Vice Chancellor, Pro-Vice Chancellor and Dean Students Welfare for their unstinted guidance and blessings at each stage in organizing this Conference.

Best wishes

Amity International Conference 2019

Theme

Criminal Justice System: National and International Perspectives

Sub-Themes

Theme 1: Criminal Justice Administration

- Role of Investigating Agencies in Criminal Justice Administration.
- Judiciary and its role in the Development of an Efficient Criminal Justice System.
- Criminal Justice and Legislative Reforms in Criminal Law.

Theme 2: Reforms in Criminal Law on the Touchstone of Constitutional Provisions

- Death Penalty in an emerging environment of Restorative Justice.
- Solitary Confinement: A Constitutional Dilemma.
- Constitutional Validity of Laws dealing with Juvenile Delinquency.

Theme 3: Human Rights in Context of Criminal Justice

- Terrorism: A Need for Effective International Laws.
- Crimes against Humanity and Refugee Laws.
- International Crimes and Extradition.

Theme 4: Efficacy of Criminal Justice System to Curb Corporate Crimes

- Corporate Criminal Liability and Punishment.
- Global Implications of Economic Crimes.
- Role of International Organisations in Prevention of Corporate Crimes.

About the Theme

Criminal Justice System: National and International Perspectives

Criminal Justice System of any Country is the basis of establishing peace and tranquillity. Criminal Justice is one of the critical areas of society where the legal system is tested on a continuous basis for preservation of peace and security in society on the one hand, and prevention of human dignity of both victims of crime and person accused of it, on the other. The term 'Criminal Justice System' is used to describe laws, procedures, professionals, authorities and institutions that apply to witnesses and victims/survivors, and to those alleged as, accused of, or recognized as having committed a criminal offence, whether adults or children. It comprises of institutions, policies and practices with the goal of maintaining social control and deterring crime through restrictions and reintegration.

The extent to which Criminal Justice System can resolve human conflict and restore peace and order depends on its efficacy to control and prevent crime and punish the criminals. Laws only define crime and are a small portion of the legal field. Society needs a way to deal with individuals who violate these laws and those who are victims of crime, hence, the development of the Criminal Justice System. The extent to which Criminal Justice System can resolve human conflict and restore peace and order depends on its efficacy to control and prevent crime and punish the criminals. Laws only define crime and are a small portion of the legal field. Society needs a way to deal with individuals who violate these laws and those who are victims of crime, hence, the development of the Criminal Justice System.

An effective Criminal Justice System is a key aspect of Rule of Law, as it constitutes the conventional mechanism to redress grievances and bring action against individuals for offences against society. Effective Criminal Justice Systems can investigate and adjudicate criminal offences successfully and in a timely manner, through a system that is impartial and non-discriminatory, and is free of corruption and improper government influence, all the while ensuring that the rights of both victims and the accused are effectively protected.

According to UNODC, crime prevention and criminal justice strategies must be gender-responsive and respect the Rule of Law, therefore, incorporating Human Rights Law and Principles.

Criminal Justice System reorganization is one of the zealous tasks for intellectuals and policy makers. Though, society has undergone a sea change due to advent of Information Technology, globalization and transformative Constitutional Jurisprudence, Criminal Law barring a few changes, has remained as a reflection of colonial vestige.

Theme 1: Criminal Justice Administration

A fair procedure is the bedrock of any Criminal Justice System which comprises of four distinct agencies, namely; the Police or the investigative agency; the Prosecution, or the agency that pursues a case in a court of law on behalf of the society; the courts, or the Judiciary which try and decide about the guilt or innocence of a certain person and the Prison and correctional institutions that perform different functions and are independently funded, managed and operated. However, despite their independence, these agencies are interrelated because what one agency does, affects all others.

The objectives of Criminal Justice and methods of its Administration have changed from time to time and from one period of history to another, however, it is matter of the serious concern that administration of the Criminal Justice System in India is deteriorating day by day. Although Criminal Law has seen many reforms in the recent years but its administration needs to be reviewed, especially in the field of investigation and court proceedings.

• Role of Investigating Agencies in Criminal Justice Administration

Investigating agencies like the Police, Criminal Justice Departments of the State and other Preventive Agencies play a vital role in combatting and controlling crime. The first contact an offender has in a Criminal Justice System is usually with the Police (or law enforcement) who investigate a suspected wrong-doing and make an arrest.

In addition to the Police Forces, the Government of India has constituted a Central Investigating Agency, called the Central Bureau of Investigation (CBI), operating under the jurisdiction of the Ministry of Personnel, Public Grievances and Pensions. On international level, The International Criminal Police Organization known as INTERPOL, provides investigating support, expertise and training on law enforcement and facilitates worldwide police co-operation and crime control.

• Judiciary and its Role in the Development of an Efficient Criminal Justice System

An independent and effective Judiciary ensures fair resolution of legal disputes and safeguards Human Rights, facilitates access to all and provides transparent and objective recourse. The Judicial System and the Criminal Procedure Code are pivotal in ensuring Rule of Law, since, even the strictest enforcement of law by the police agency will not deliver the goods unless it is supported by the Judicial System by way of prompt disposals.

Promoting the Rule of Law, the United Nations has established International Court of Justice (ICJ) and International Criminal Court (ICC) which are independent in nature to resolve the conflicts between nations without any biasness. The power of these courts is not absolute in nature because they lack enforcing agencies and needs to be strengthened in the globalizing world.

• **Criminal Justice and Legislative Reforms in Criminal Law**

Legislative Reform is the process of examining existing laws and advocating and implementing changes in a legal system, usually with the aim of enhancing justice or efficiency. This year, on 19 February 2019, India held its eleventh meeting of Advisory Council on “National Mission for Justice Delivery and Legal Reforms” with the agenda of reforming various laws that is need of the hour. On the international front, “The International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR&CJP)” was established in 1981, for reforming various International Laws related to Criminal Justice.

Theme 2: Reforms in Criminal Law on the Touchstone of Constitutional Provisions

The desire for quick, fair and affordable justice is universal. Protection of life and liberty has been given a pre-eminent position in our Constitution by enacting Article 21 as a Fundamental Right and imposing a duty on the State to protect life and personal liberty of every citizen. Any deprivation or breach of this valuable right is not permissible unless the procedure prescribed by law for that purpose is just, fair and reasonable. The ground reality however, is that this precious Fundamental Right enshrined in the Constitution is turning out to be a mere pipe dream to many millions to whom justice is delayed, distorted or denied.

• **Death Penalty in an Emerging Environment of Restorative Justice**

Death Penalty is an affront to human dignity in its flagrant destruction to human life and its inordinate use upon people who are poor and marginalized. Capital Punishment is the paragon of punitive application that offers no probability for redemption, only perpetuating a culture of death. On the other hand, restorative justice helps us to envisage creative ways to address harm that stipulate hope, healing, and human dignity. The Restorative Justice Theory holds offenders accountable while searching for ways to mend communities and lives torn apart due to Death Penalty and explore options for the offender’s family to be brought into justice equation and the process of healing.

• **Solitary Confinement: A Constitutional Dilemma**

Correctional Institutions like prisons are an integral part of a Criminal Justice System. These institutions are primarily aimed towards reformation and rehabilitation of those adjudged guilty of committing crimes. Many a times the inmates are confined to Solitary Confinement, which is the conduct of detachment of individuals for long hours per day, for all purposes free of human contact for time frames going from days to years. From a correctional perspective, prisoners are placed in Solitary Confinement for several different reasons. In some instances, prisoners are placed in Solitary Confinement as punishment; it is also administratively imposed, targeting certain individuals or groups for whom prison officials deem it necessary.

In India, constitutional arguments made against Solitary Confinement incorporate violation of the basic concept of common natural human dignity and of some of the Fundamental Rights guaranteed by the Indian Constitution to the prisoners.

• **Constitutional Validity of Laws Dealing with Juvenile Delinquency**

Juvenile Delinquency is an area of great concern for any Criminal Justice System. Juvenile-centric Human Rights jurisprudence has become pivotal in Law's role in society. The Juvenile Justice System in India, the ripple effect of the Criminal Justice System, has always been marked by the tussle between the protective approach of Juvenile Justice and the traditional approach of the latter. Despite the Indian Constitution guarantees and a plethora of juvenile-centred legislations and civil rights, juveniles face widespread discrimination and deprivation. There are unprecedented incidents of police brutality and abuse in the Observation Homes, along with incompetence and delay on the part of Probation Officers. A ray of hope glimmers in the form of protection of juveniles from offences, which not only aspires to curb the sexual atrocities against them, but also to rein in the media by prohibiting comments towards, either accused or victim of an offence, which may lower character or infringe privacy.

As per the present scenario, the rate of juvenile crimes is increasing in India and it is a very concerning issue which needs to be focused upon. Although the Constitution provides for ways to deal with the incidents of Juvenile Crimes but the present laws on juveniles is not creating a deterrent effect.

Theme 3: Human rights in context of Criminal Justice

As far as Human Rights are concerned, in the era of globalization, the role of State is not only assessed from domestic angle, but it is also under scrutiny of international factors and world opinion. Criminal Justice is one of the critical areas of Human Rights where the legal system is tested on a continuous basis for preservation of peace and security in society on the one hand, and prevention of human dignity of both victims of crime and person accused of it, on the other. The dignity and worth of the individual is at the core of a legal system and democracy. Constitutional governance in a democratic set up is the safest guarantee for the protection of Human Rights and assurance of human resource development.

• **Terrorism: A Need of Effective International laws**

Terrorism is a threat of great import as terrorists strike at will, in most cases killing innocent citizens. The dissatisfaction, real or imaginary, of a faction of people against the system, prompts them towards use of brutal and disparaging acts to draw attention to their grievances. Terrorism not only threatens the peace and stability of international community it also poses a challenge in the arena of International Law. While the international community has not avoided addressing the challenges of this anathema, a lot still needs to be done to adequately combat Terrorism. More cooperation among States and International Organizations is a prerequisite in this direction.

The desperate need of the new age is, unity of humankind and peace in the world. There is thus, an urgent need for constituting an International Law-making body for enacting an enforceable International Law, to be adopted and applicable to the world.

• Crimes against Humanity and Refugee Laws

Crimes against humanity are systematic widespread attacks that can be carried out even in times of peace. As the global Refugee crisis continues to unfold, the laws seeking protection of Human Rights need to be stronger and more enforceable in nature. Human Rights and laws for protection of displaced persons must continue to strengthen. Even after the emergence of Refugee Law, various countries have cited race, nationality, religion and lack of resources as reasons for rejection. A current scenario that reflects the problem is the European Refugee crisis, wherein most countries of the EU have declared their hesitance in the same. These rejections have also been directly responsible for crimes like exploitation and trafficking as Refugees are a vulnerable part of society. There is an urgent need for accountability at International and National levels. If this revolving door of Refugees continues to spin, a lost generation will come to fruition.

• International Crimes and Extradition

With the advent of Globalisation and increased interconnectivity, it has become easier for offenders to escape to foreign jurisdictions to avoid prosecution. The importance of extraditing fugitives and bringing them to justice cannot be stressed enough. Apart from providing timely justice and grievance redressal, it also serves as a deterrent against potential fugitives. Leveraging diplomacy and bilateral negotiations to persuade countries to process requests expeditiously, is an important step for Extradition. Criminals don't respect International boundaries, which modern society dictates they are bound to do, the function of Extradition becomes more vital. Concurrently, those involved in the practice are required to become ever increasingly familiar with International level, not solely on a theoretical level, but on a practical basis as well.

Theme 4: Efficacy of Criminal Justice System to Curb Corporate Crimes

“Corporate bodies are more corrupt and profligate than individuals, because they have more power to do mischief, and are less amenable to disgrace or punishment. They neither feel shame, remorse, gratitude nor goodwill.” (Wells, 1997)

Detection of criminality is a tough task in Business/Corporate Crimes, committed by well-trained minds who hold high status in the society. These crimes are more dangerous to the society than ordinary crimes for the damage they inflict on the public morale.

Corporate Fraud/Crime, in addition to causing significant financial losses to investors, has the potential to cause immeasurable damage to the World Economy and investor confidence.

Business/Corporate Crimes regulation is a serious concern and the past several decades have brought many new challenges to law enforcement, particularly due to the emergence of new technology. Corporate Crime has been a challenge for law enforcement in both establishing laws against the activity, as well as providing tools for law enforcement officers to combat it.

• **Corporate Criminal Liability and Punishment**

“Corporate Crime is a serious contemporary concern due to multidimensional aspects involved in nature of such kinds of crime, given the number of corporate scams emerging every day and threatening the overall economy and welfare of the state (GOEL, 2015)”

In this context, the development of Corporate Criminal Liability has become a problem which a growing number of prosecutors and courts have to deal with nowadays. The fact that crime has shifted from almost solely individual perpetrators, to Corporate Crimes on an ever-increasing scale has not yet been taken into account in many legal systems.

Corporate Criminal Liability has been a subject of great relevance in the contemporary legal world. In most common law jurisdictions, the law governing Corporate Criminal Liability has been mainly, Judge made law. The evolution of the concept of Corporate Criminal Liability may thus, be classified as a long processing effort from the judiciary to fix responsibilities on non-fictitious persons and hold them accountable.

Till date, International Law has failed to recognise the Criminal Liability of Corporations. As Corporate Criminal Liability developed domestically and as time has changed, the international criminal system still operates on the premise of individual criminal responsibility.

It is thus, apparent from the current scenario that some serious measures must be taken in relation to the Criminal Liability of Corporations at both National and International level.

• **Global Implications of Economic Crimes**

In a complex, connected and ever-changing world, known and unknown risks proliferate. Economic Crime is one such risk. In fact, it is one of the largest systemic risks to the global economy, with devastating impacts on businesses and communities around the world. It is an enormous problem, with unsustainable costs.

Economic Crime has existed since time immemorial. Fast forward to the 21st century and the capabilities of criminals have reached new heights, to the point where they now pose the risk of destabilising global economies and governments. The two biggest factors have been the increase in global communications and the huge developments we've seen in technology and the use of data.

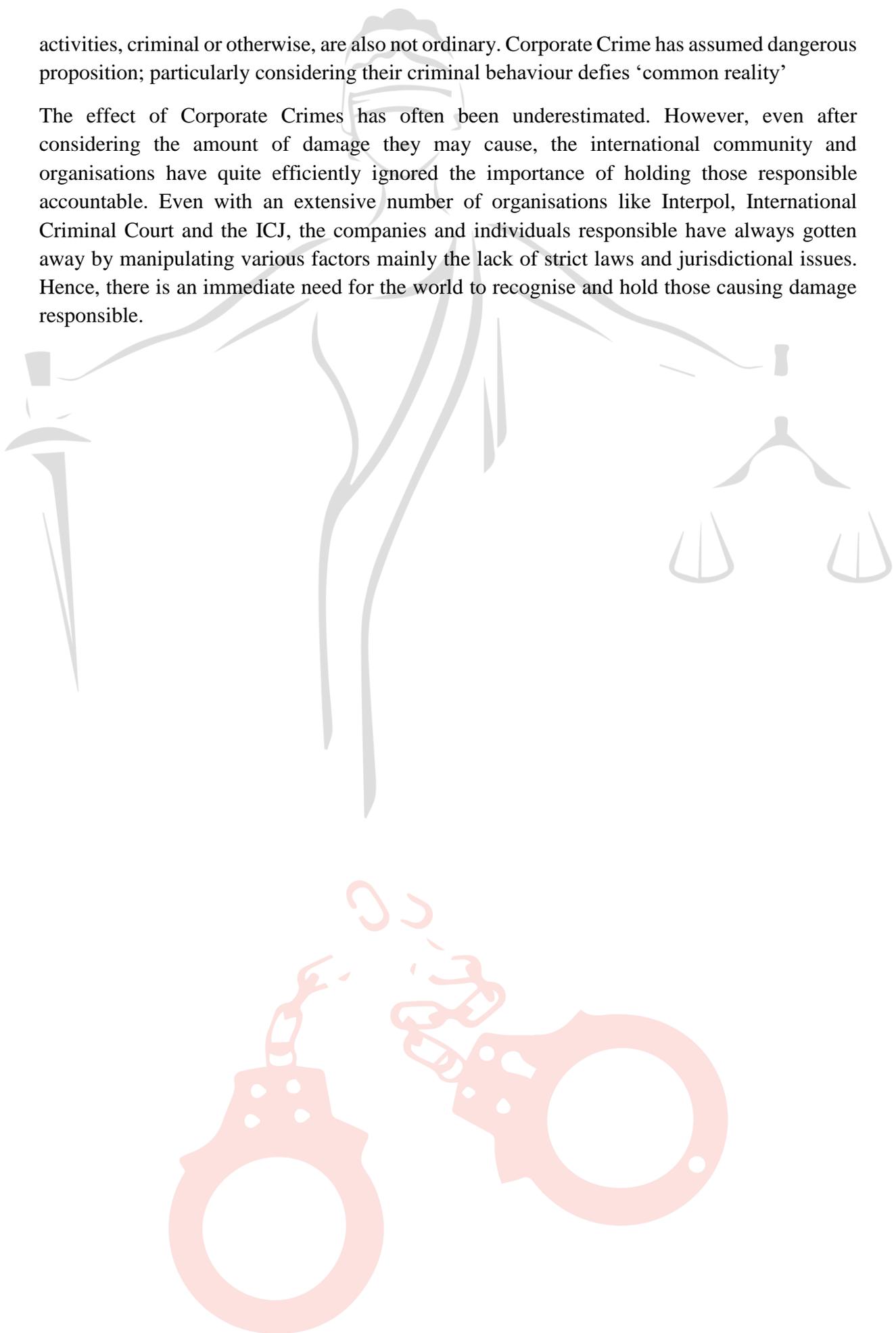
Law seems to be playing catch-up with the ever-evolving economic offences and the National and International treatment of such offences are not stringent enough in curbing or bringing a deterrent effect.

• **Role of International Organisations in Prevention of Corporate Crimes**

Large Corporations dominate the global business and are present in every sphere of our life. However, a corollary of this dominance is that large companies have started indulging in criminal activities and considering the fact that they are not natural human entities, their

activities, criminal or otherwise, are also not ordinary. Corporate Crime has assumed dangerous proposition; particularly considering their criminal behaviour defies 'common reality'

The effect of Corporate Crimes has often been underestimated. However, even after considering the amount of damage they may cause, the international community and organisations have quite efficiently ignored the importance of holding those responsible accountable. Even with an extensive number of organisations like Interpol, International Criminal Court and the ICJ, the companies and individuals responsible have always gotten away by manipulating various factors mainly the lack of strict laws and jurisdictional issues. Hence, there is an immediate need for the world to recognise and hold those causing damage responsible.



Rules and Regulations

CALL FOR PAPERS

We cordially invite Articles and Research Papers on the Theme and Sub-Themes from Academicians, Researchers, Advocates, Students pursuing Law or any other Academic Degree as well as Stakeholders in this Sector to contribute towards shaping the International Conference by their submissions.

CONFERENCE PROCEEDINGS

All submitted Conference Papers would be peer reviewed by Review Committee and the selected papers would be published in an UGC Indexed Law Journal.

The Certificate of Presentation and Participation will be distributed to participants.

REGISTRATION

- ❖ The participants are required to fill the Abstract Registration Form before sending the Abstract. (via Google Form- forms.gle/SDUTx74KUj3Pe7oP7).
- ❖ Each Participant should register individually.
- ❖ After selection of Abstract, Participants have to fill the Registration Form (to be provided after selection) and send a scanned copy of the same to AUH at alsconference2019@gmail.com.
- ❖ The registration shall be confirmed and communicated only after the receipt of the scanned copy of the duly filed Registration Form along with the payment of the Registration Fee.
- ❖ The softcopy/snapshot of Registration Form and Paper should be submitted to alsconference2019@gmail.com. The subject of the E-mail must be "Submission for International Conference"

SUBMISSION GUIDELINES

- ❖ Co-authorship is permissible (subject to an upper limit of 2 Authors per submission).
- ❖ The main author and/or presenting author shall register separately.

Abstract:

- ❖ The maximum word limit must not exceed 300 words.
- ❖ The author(s) shall specify Title of the paper, name(s) of the author(s), professional titles, e-mail address(es) and contact number.
- ❖ All abstracts should be submitted through e-mail only
- ❖ Relevant Keywords are to be mentioned in Abstracts.
- ❖ The author(s) should indicate the theme on which the abstract is based.

Note: The abstracts shall be screened by the Review Committee. The Authors of the shortlisted abstracts shall be intimated accordingly.

Paper:

The maximum word limit must not exceed 5000 words. The paper must be accompanied by a cover letter which shall include the details:

Full paper should have a cover page containing the following:

- A. Full name(s) of the Author(s)
 - B. Institution/Organization/University
 - C. Professional/Educational Details
 - D. Email address(es)
 - E. Contact number(s)
- ❖ The Paper should be in .doc/.docx formats in Times New Roman font, font size 12 with 1.5 spacing.
 - ❖ Alignment -Justified, no page borders, Margin 1 inch each side.
 - ❖ The writings must conform to the Bluebook style of citation, 20th edition.
 - ❖ The manuscripts must be sent in MS Word format (.doc/.docx.) and PDF format.
 - ❖ The paper must begin with the subject matter of study, provide an exhaustive literature review, State the problem and hypothesis, examine the hypothesis and provide conclusions and suggestions.
 - ❖ All submissions should be the original work of the Author, and should not have been submitted for publication/published elsewhere in any form.
 - ❖ All the papers are subjected to strict plagiarism check and any unattributed work is liable to be rejected.

REGISTRATION FEE

Category	Indian Nationals		Foreign Nationals
	Accommodation		Accommodation Compulsory
	With	Without	
1.Academicians 2. Activists 3.Media Professionals 4. Professionals 5.Research Scholars	Rs. 3,000/-	Rs. 2,500/-	\$100(USD)
Students	Rs. 3,000/-	Rs. 2,000/-	\$70(USD)

- ❖ In case of Co-Authorship, both the Authors are required to register individually.
- ❖ Hostel Accommodation inside the campus is compulsory for the Foreign National Students and for National Students is available on first come first serve basis.
- ❖ Amity Law School, Gurugram will host the participants with Breakfast, Lunch and Dinner. Tea and Snacks will also be served during the break in between the sessions.

MODE OF PAYMENT

The method of payment shall be notified as soon as the abstracts are selected for the submission of full paper.

IMPORTANT DATES

Date of Official Notification	1st September 2019
Last Date for Submission of Abstract	10th October 2019
Notification of Selection of Abstracts	12th October 2019
Last date of Registration & Fee Payment	20th October 2019
Submission of Full Paper	30th October 2019
Date of Conference	08th – 09th November 2019

For any further query, Email us at: alsconference2019@gmail.com or Contact us:

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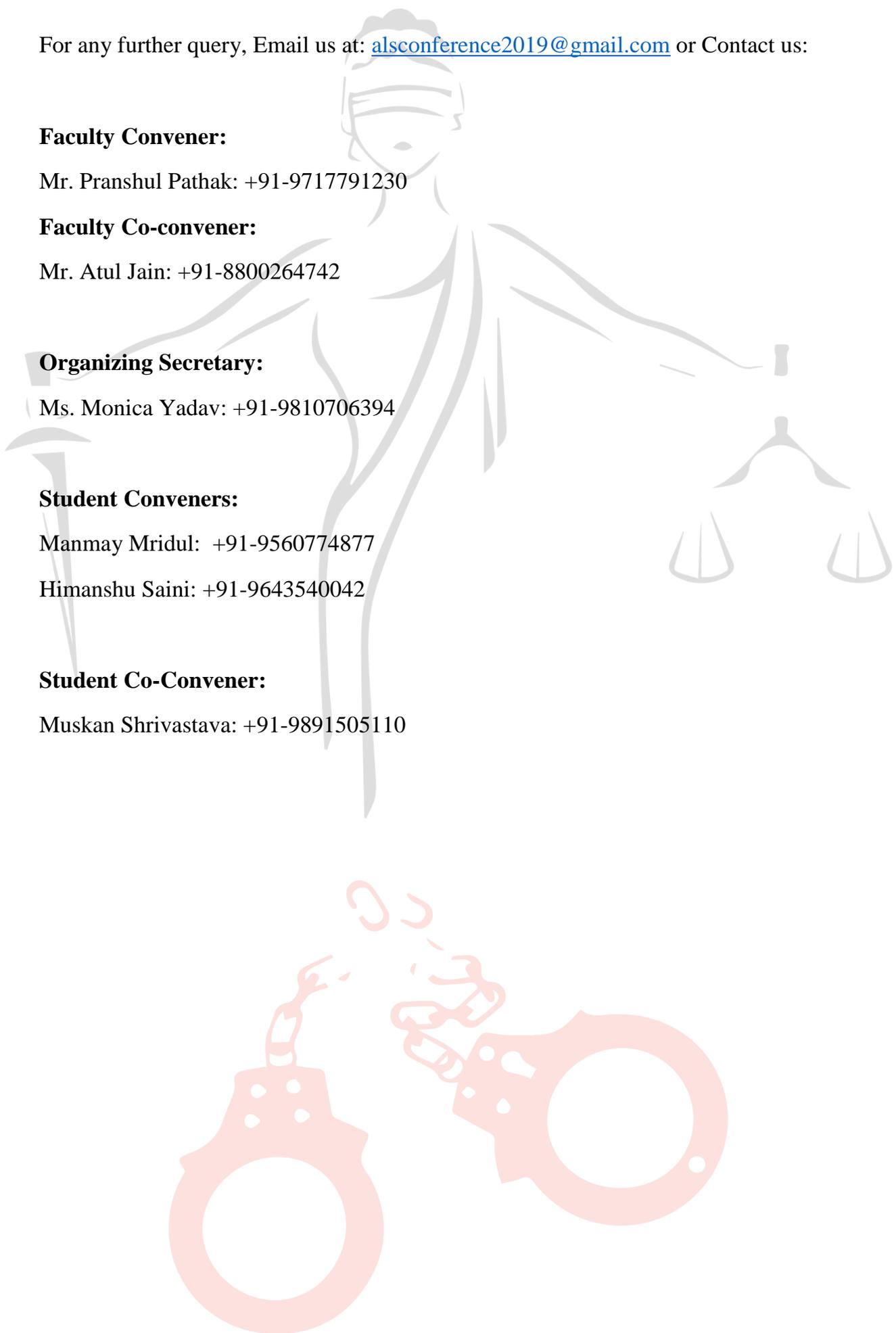
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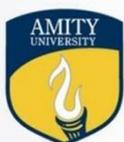
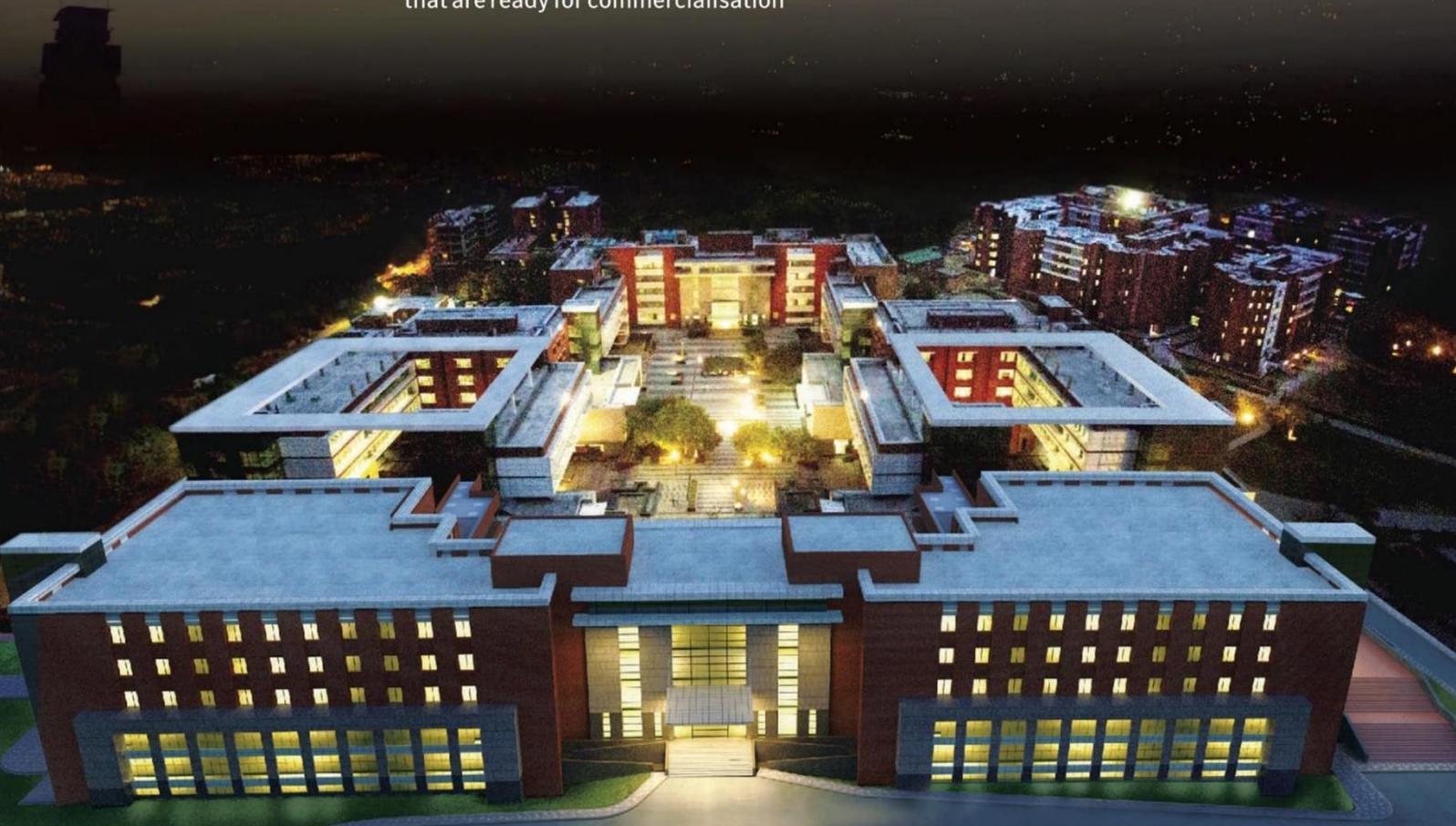
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- In-campus Innovation incubator to promote technology led entrepreneurial activities which has till date, helped over 100 start-ups
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- Merit cum means scholarships to brilliant students
- Dedicated placement cell to help students find their dream jobs in leading MNCs and Bluechip corporates
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- Well-equipped Knowledge Resources Centre containing several international journals and peer reviewed publications
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